

ORIGINAL
OPEN MEETING



0000015206

MEMORANDUM

410

Arizona Corporation Commission

DOCKETED

JAN - 3 2005

TO: THE COMMISSION

FROM: Utilities Division

DATE: January 3, 2005

DOCKETED BY

KD

RE: IN THE MATTER OF TONTO BASIN WATER COMPANY, INC. FILING OF A
CURTAILMENT PLAN TARIFF DOCKET NO. W-03515A-04-0907

On December 17, 2004, Tonto Basin Water Company, Inc. ("Company") filed a curtailment plan tariff. The Company is proposing to add a provision for a "reconnection fee for violation" during the mandatory Stage 3, 4 and 5 conditions, when outdoor watering is prohibited. The Company's proposed tariff differs from Staff's general tariff template that is posted on the Commission's website. Staff needs additional time to complete its review and recommends that the filing be suspended for ninety (90) days.

for
Ernest G. Johnson
Director
Utilities Division

EGJ:MSJ:cal\DR

ORIGINATOR: Marlin Scott, Jr.

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2005 JAN - 3 P 4: 26

AZ CORP COMMISSION
DOCUMENT CONTROL

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 MARC SPITZER

Chairman

3 WILLIAM A. MUNDELL

Commissioner

4 JEFF HATCH-MILLER

Commissioner

5 MIKE GLEASON

Commissioner

6 KRISTIN K. MAYES

Commissioner

8 IN THE MATTER OF TONTO BASIN
9 WATER COMPANY, INC. – FILING FOR A
10 CURTAILMENT PLAN TARIFF

DOCKET NO. W-03515A-04-0907

DECISION NO. _____

ORDER

11
12 Open Meeting
13 January 11 and 12, 2005
14 Phoenix, Arizona

15 BY THE COMMISSION:

16 FINDINGS OF FACT

17 1. Tonto Basin Water Company, Inc. ("Company") is certificated to provide water
18 as a public service corporation in the State of Arizona.

19 2. On December 17, 2004, the Company filed for a curtailment plan tariff.

20 3. The Company is proposing to add a provision for a "reconnection fee for
21 violation" during the mandatory Stage 3, 4 and 5 conditions, when outdoor watering is
22 prohibited. The Company's proposed tariff differs from Staff's general tariff template that is
23 posted on the Commission's website.

24 4. Staff needs additional time to complete its review and recommends that the filing
25 be suspended for ninety (90) days.

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CONCLUSIONS OF LAW

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2 1. The Company is an Arizona public service corporation within the meaning of
3 Article XV, Section 2, of the Arizona Constitution.

4 2. The Commission has jurisdiction over the Company and of the subject matter in
5 this Application.

6 3. The Commission having reviewed the filing and Staff's Memorandum dated
7 January 3, 2005, concludes that it is in the public interest to suspend the filing for ninety (90)
8 days pursuant to A.R.S. §40-250(B).

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ORDER

IT IS THEREFORE ORDERED that this tariff filing be and is hereby suspended for a period of ninety (90) days, through and including April 16, 2005.

IT IS FURTHER ORDERED that this Order shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I BRIAN C. McNEIL,
Executive Secretary of the Arizona Corporation
Commission, have hereunto, set my hand and caused the
official seal of this Commission to be affixed at the Capitol,
in the City of Phoenix, this _____ day of
_____, 2005.

BRIAN C. McNEIL
Executive Secretary

DISSENT: _____

DISSENT: _____

EGJ:MSJ:cal/DR

Decision No. _____

1 SERVICE LIST FOR: Tonto Basin Water Company, Inc.
2 DOCKET NO. W-03515A-04-0907

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11 Mr. Ernest G. Johnson
12 Director, Utilities Division
13 Arizona Corporation Commission
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16 Mr. Christopher C. Kempley
17 Chief Counsel
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